

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.13177 OF 2007

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DATED: 25-6-2007

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Between:

Samalkota Primary Agricultural
Cooperative Society Limited, Samalkota
Village, Samalkota Mandal, East
Godavari District, represented by its
C.E.O., C.H.Rambabu.

.. Petitioner

and

Yaramati Srinivasa Rao and another.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.13177 OF 2007

ORDER:

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This writ petition is filed seeking a certiorari to call for the records pertaining to the order, dated 25.01.2007, in A.P.S.E.No.06 of 2006 on the file of the Authority Appointed Under Section 48 of Andhra Pradesh Shops and Establishments Act, 1988 and Assistant Commissioner of Labour, Rajahmundry and to set aside the same as illegal and arbitrary.

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There is no necessity of going into all the details.

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Admittedly, against the impugned order, the petitioner has an effective alternative remedy of filing a statutory appeal under Section 48 (3) of the Andhra Pradesh Shops and Establishments Act, 1988. But, instead of availing the same, the petitioner has approached this Court through this writ petition. I am of the opinion that the petitioner should approach the appellate authority first and then, if necessary, can file a writ petition.

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In the circumstances, I deem it appropriate to direct the petitioner to file an appeal against the impugned order before the appellate authority under Section 48 (3) of Andhra Pradesh Shops and Establishments Act, 1988, within a period of two weeks from today, and, on filing such application, the appellate authority shall entertain the same without taking any objection as to the period of limitation.

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With the above direction, the writ petition is disposed of. No costs.

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C.V. RAMULU, J

25th June, 2007.

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Note:-

Issue order copy in
three (3) days.

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